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In re Application of :
MIYAWAKI, et al. :
Application No.: 10/538,772 :
PCT No.: PCT/JP03/15790 : DECISION ON REQUEST
Int. Filing Date: 10 December 2003 :
Priority Date: 10 December 2002 :
Attorney Docket No.: P28025 :
For: FLUORESCENT INDICATOR USING FRET

This decision is issued in response to applicants' "Response to Notification of Defective Response" filed 19 July 2006 notifying the Office that the correct spelling of the second inventor's name is TAKEHARU Nagai as indicated on the declaration rather than Kenji Nagai as indicated on the published international application. Applicants' request has been treated under 37 CFR 1.181. No petition fee is due.

Petitioner states that the discrepancy between the name of the second inventor indicated in the international application during the international phase and the name of the second inventor as it appears in the declaration is the result of a transliteration error. As indicated in Section 201.03 of the Manual of Patent Examining Procedure, where a typographical or transliteration error in the spelling of an inventor's name is discovered, a petition under 37 CFR 1.48(a) is not required. Accordingly, applicants' explanation of the difference in the spelling of the second inventor's name is accepted and noted for the record.

For the reasons above, the request is GRANTED.

This application is being forwarded to United States Designated/Elected Office for further processing and for review of the national stage papers submitted on 10 June 2005 and 07 April 2006.


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